GOVERNMENT OF INDIA
LAW AND JUSTICE
LOK SABHA

UNSTARRED QUESTION NO:2447
ANSWERED ON:30.11.2016
Trial Proceedings
Singh Shri Hukum

Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether as per a study in most of the High Courts in India, especially Rajasthan, Gujarat and Odisha, the trail proceedings had been stayed by superior courts in more than 15,3000 civil and criminal cases;
(b) if so, the details thereof, State-wise, year-wise for the last three years;
(c) whether the Government has set up a body to monitor the Annual Reports published by the High Courts to ascertain the accuracy and complete picture of the cases filed by the concerned High Courts and if so, the details thereof; and
(d) whether it is a fact that the average life of a case in High Courts and Supreme Court in India are 10-15 years and the delay in trail is upto more than 6 years and if so, the details thereof and the reasons therefor?

Answer

ANSWER
MINISTER OF STATE FOR LAW AND JUSTICE AND ELECTRONICS AND INFORMATION TECHNOLOGY
(SHRI P. P. CHAUDHARY)

(a) to (d): The High Courts have inherent powers to make such orders as may be necessary including stay orders for meeting the ends of justice or to prevent abuse of the proceedings of the courts both in Civil and Criminal cases. The details of the day-to-day proceedings of the courts are not maintained by the Government.

A brief outline for Annual Reports of the High Courts was prepared and sent to the High Courts in October, 2015 for appropriate consideration. This outline inter-alia included information on number of cases in which trial proceedings have been stayed by Superior Courts in various categories of Civil and Criminal cases and average time for which such trial proceedings remain stayed in the life cycle of a case.

As per the information available in the Annual Reports of the High Courts for the year 2015, following number of Civil and Criminal Cases were stayed by the Superior Courts of Rajasthan, Gujarat and Orissa.

Sr. No. Name of High Court Number of Civil Cases stayed Number of Criminal Cases stayed
1. Rajasthan 4365 1250
2. Gujarat 1661 444
3. Orissa 4889 2520

The data relating to average life of a case in the High Courts and the Supreme Court in India is not being maintained centrally. No body has been set up by the Government to monitor the Annual Reports published by the High Courts.
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